

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ANTHONY CASTRO,

Plaintiff,

v.

**JOHN DOE 1 AND WIKIMEDIA
FOUNDATION, INC,**

Defendants.

Case No.: 4:23-mc-80198-YGR

**ORDER CONDITIONALLY CLOSING THE
CASE UPON NOTICE OF UNDERLYING
DISMISSAL**


The defendant in this matter, John Doe 1, also known as “Chetsford,” has informed the Court that, in the underlying matter in the Northern District of Texas, *J.A. Castro v. John Doe 1, et al.*, 4:23-cv-613-P, the Magistrate Judge filed a Report and Recommendation that the case be dismissed because, among other reasons, the Texas court told plaintiff J.A. Castro that if he did not serve John Doe 1 by December 13, 2023, the case against John Doe 1 would be dismissed. Plaintiff has yet to effectuate service in that case.

Because this case is wholly derivative of plaintiff’s claim against John Doe 1 in the underlying Texas action, and defendant has demonstrated that the case against them will be dismissed for lack of service, this matter is **CONDITIONALLY DISMISSED** and any hearings and deadlines in this matter are **VACATED**.

It is further **ORDERED** that, if the parties file a status update within ninety days that the underlying Texas matter against John Doe 1 was not dismissed, this Order shall be vacated, and this case will be reopened and restored to the calendar for further proceedings.

IT IS SO ORDERED.

Dated: February 15, 2024


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE